



## Senate

General Assembly

February Session, 2014

**File No. 175**

Senate Bill No. 252

*Senate, March 27, 2014*

The Committee on Human Services reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

### **AN ACT CONCERNING THE OFFICE OF CHILD SUPPORT SERVICES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-24 of the 2014 supplement to the general statutes  
2 is repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2014*):

4 The following officers may administer oaths: (1) The clerks of the  
5 Senate, the clerks of the House of Representatives and the chairpersons  
6 of committees of the General Assembly or of either branch thereof,  
7 during its session; (2) state officers, as defined in subsection (t) of  
8 section 9-1, judges and clerks of any court, family support magistrates,  
9 judge trial referees, justices of the peace, commissioners of the Superior  
10 Court, notaries public, town clerks and assistant town clerks, in all  
11 cases where an oath may be administered, except in a case where the  
12 law otherwise requires; (3) commissioners on insolvent estates,  
13 auditors, arbitrators and committees, to parties and witnesses, in all  
14 cases tried before them; (4) assessors and boards of assessment

15 appeals, in cases coming before them; (5) commissioners appointed by  
16 governors of other states to take the acknowledgment of deeds, in the  
17 discharge of their official duty; (6) the moderator of a school district  
18 meeting, in such meeting, to the clerk of such district, as required by  
19 law; (7) the first selectman, in any matter before the board of  
20 selectmen; (8) the Chief Medical Examiner, Deputy Medical Examiner  
21 and assistant medical examiners of the Office of the Medical Examiner,  
22 in any matter before them; (9) registrars of vital statistics, in any matter  
23 before them; (10) any chief inspector or inspector appointed pursuant  
24 to section 51-286; (11) registrars of voters, deputy registrars, assistant  
25 registrars, and moderators, in any matter before them; (12) special  
26 assistant registrars, in matters provided for in subsections (b) and (c) of  
27 section 9-19b and section 9-19c; (13) the Commissioner of Emergency  
28 Services and Public Protection and any sworn member of any local  
29 police department or the Division of State Police within the  
30 Department of Emergency Services and Public Protection, in all  
31 affidavits, statements, depositions, complaints or reports made to or by  
32 any member of any local police department or said Division of State  
33 Police or any constable who is under the supervision of said  
34 commissioner or any of such officers of said Division of State Police  
35 and who is certified under the provisions of sections 7-294a to 7-294e,  
36 inclusive, and performs criminal law enforcement duties; (14) judge  
37 advocates of the United States Army, Navy, Air Force and Marine  
38 Corps, law specialists of the United States Coast Guard, adjutants,  
39 assistant adjutants, acting adjutants and personnel adjutants,  
40 commanding officers, executive officers and officers whose rank is  
41 lieutenant commander or major, or above, of the armed forces, as  
42 defined in section 27-103, to persons serving with or in the armed  
43 forces, as defined in said section, or their spouses; (15) investigators,  
44 deputy investigators, investigative aides, secretaries, clerical assistants,  
45 social workers, social worker trainees, paralegals and certified legal  
46 interns employed by or assigned to the Public Defender Services  
47 Commission in the performance of their assigned duties; (16) bail  
48 commissioners and intake, assessment and referral specialists  
49 employed by the Judicial Department in the performance of their

50 assigned duties; (17) juvenile matter investigators employed by the  
51 Division of Criminal Justice in the performance of their assigned  
52 duties; (18) the chairperson of the Connecticut Siting Council or the  
53 chairperson's designee; (19) the presiding officer at an agency hearing  
54 under section 4-177b; (20) family relations counselors employed by the  
55 Judicial Department and support enforcement officers and  
56 investigators employed by the Department of Social Services [Bureau  
57 of Child Support Enforcement] Office of Child Support Services and  
58 the Judicial Department, in the performance of their assigned duties;  
59 (21) the chairperson, vice-chairperson, members and employees of the  
60 Board of Pardons and Paroles, in the performance of their assigned  
61 duties; (22) the Commissioner of Correction or the commissioner's  
62 designee; (23) sworn law enforcement officers, appointed under  
63 section 26-5, within the Department of Energy and Environmental  
64 Protection, in all affidavits, statements, depositions, complaints or  
65 reports made to or by any such sworn law enforcement officer; and  
66 (24) sworn motor vehicle inspectors acting under the authority of  
67 section 14-8.

68 Sec. 2. Subsection (c) of section 4a-12 of the general statutes is  
69 repealed and the following is substituted in lieu thereof (*Effective*  
70 *October 1, 2014*):

71 (c) For purposes of this section, "liable relative" means the husband  
72 or wife of any person receiving public assistance or aided, cared for or  
73 treated in a state humane institution, as defined in said section 17b-222,  
74 and the father and mother of any such person under the age of  
75 eighteen years, but shall not include the parent or parents whose  
76 financial liability for a child is determined by the [Bureau of Child  
77 Support Enforcement] Office of Child Support Services under  
78 subsection (b) of section 17b-179, as amended by this act. The  
79 Commissioner of Administrative Services, in consultation with the  
80 Secretary of the Office of Policy and Management, shall adopt  
81 regulations in accordance with the provisions of chapter 54  
82 establishing: (1) A uniform contribution scale for liable relatives based  
83 upon ability to pay and the administrative feasibility of collecting such

84 contributions, provided no such liable relative shall contribute an  
85 amount in excess of twelve per cent of the remainder, if any, after the  
86 state median income, adjusted for family size, has been deducted from  
87 such liable relative's taxable income for federal income tax purposes, or  
88 if such federal income tax information is unavailable, from such  
89 relative's taxable income, as calculated from other sources, including,  
90 but not limited to, information pertaining to wages, salaries and  
91 commissions as provided by such relative's employer; (2) the manner  
92 in which the Department of Administrative Services shall determine  
93 and periodically reinvestigate the ability of such liable relatives to pay;  
94 and (3) the manner in which the department shall waive such  
95 contributions upon determination that such contribution would pose a  
96 significant financial hardship upon such liable relatives.

97 Sec. 3. Subsection (d) of section 17b-93 of the general statutes is  
98 repealed and the following is substituted in lieu thereof (*Effective*  
99 *October 1, 2014*):

100 (d) Notwithstanding any provision of the general statutes,  
101 whenever funds are collected pursuant to this section or section 17b-  
102 94, and the person who otherwise would have been entitled to such  
103 funds is subject to a court-ordered current or arrearage child support  
104 payment obligation in a IV-D support case, such funds shall first be  
105 paid to the state for reimbursement of Medicaid funds granted to such  
106 person for medical expenses incurred for injuries related to a legal  
107 claim by such person which was the subject of the state's lien and such  
108 funds shall then be paid to the [Bureau of Child Support Enforcement]  
109 Office of Child Support Services for distribution pursuant to the  
110 federally mandated child support distribution system implemented  
111 pursuant to subsection (j) of section 17b-179. The remainder, if any,  
112 shall be paid to the state for payment of previously provided  
113 assistance through the state supplement program, medical assistance  
114 program, aid to families with dependent children program, temporary  
115 family assistance program or state-administered general assistance  
116 program.

117 Sec. 4. Subsections (a) to (h), inclusive, of section 17b-179 of the  
118 general statutes are repealed and the following is substituted in lieu  
119 thereof (*Effective October 1, 2014*):

120 (a) There is created within the Department of Social Services the  
121 [Bureau of Child Support Enforcement. The bureau] Office of Child  
122 Support Services. The office shall be administered by a director and  
123 shall act as the single and separate organizational unit to coordinate,  
124 plan and publish the state child support enforcement plan for the  
125 implementation of Title IV-D of the Social Security Act, as amended, as  
126 required by federal law and regulations. The [bureau] office shall  
127 provide for the development and implementation of all child support  
128 services, including the administration of withholding of earnings, in  
129 accordance with the provisions of Title IV-D of the Social Security Act,  
130 as amended.

131 (b) (1) The Commissioner of Social Services shall investigate the  
132 financial condition of the parent or parents of: (A) Any child applying  
133 for or receiving assistance under (i) the temporary family assistance  
134 program pursuant to section 17b-112, which may be referred to as  
135 "TFA" for the purposes of this section, or (ii) the Medicaid program  
136 pursuant to section 17b-261, (B) any child seeking IV-D child support  
137 enforcement services pursuant to subdivision (1) of subsection (h) of  
138 this section, and (C) any child committed to the care of the  
139 Commissioner of Children and Families who is receiving payments in  
140 the foster care program and for whom a referral to the [Bureau of  
141 Child Support Enforcement] Office of Child Support Services is made  
142 under section 46b-130, as amended by this act, and shall determine the  
143 financial liability of such parent or parents for the child.

144 (2) The [Bureau of Child Support Enforcement] Office of Child  
145 Support Services may, upon notice to the obligor and obligee, redirect  
146 payments for the support of all such children to either the state of  
147 Connecticut or the present custodial party, as their interests may  
148 appear, provided neither the obligor nor the obligee objects in writing  
149 within ten business days from the mailing date of such notice. Any

150 such notice shall be sent by first class mail to the most recent address  
151 of such obligor and obligee, as recorded in the state case registry  
152 pursuant to section 46b-218, as amended by this act, and a copy of such  
153 notice shall be filed with the court or family support magistrate if both  
154 the obligor and obligee fail to object to the redirected payments within  
155 ten business days from the mailing date of such notice. All payments  
156 shall be distributed as required by Title IV-D of the Social Security Act.

157 (3) Notwithstanding subdivision (2) of this subsection or  
158 subparagraph (F) of subdivision (1) of subsection (u) of section 46b-  
159 231, the [Bureau of Child Support Enforcement] Office of Child  
160 Support Services or a support enforcement agency under cooperative  
161 agreement with the [Bureau of Child Support Enforcement] Office of  
162 Child Support Services shall redirect payments for the support of  
163 children described in subparagraphs (A)(i) and (C) of subdivision (1)  
164 of this subsection to the state of Connecticut effective on the date of the  
165 assistance grant. Upon such redirection, the [Bureau of Child Support  
166 Enforcement] Office of Child Support Services or support enforcement  
167 agency shall notify the obligor and obligee as described in subdivision  
168 (2) of this subsection if assistance is being received by a new custodial  
169 party on behalf of such child and, if an objection to redirection is  
170 received in accordance with said subdivision (2), shall refund to the  
171 obligee of the support order any money retained by the state during  
172 the period of redirection that is due such obligee.

173 (c) The [Bureau of Child Support Enforcement] Office of Child  
174 Support Services shall enter into cooperative agreements with  
175 appropriate officials of the Judicial Branch and law enforcement  
176 officials to assist in administering the child support enforcement plan  
177 and with respect to other matters of common concern in the area of  
178 child support enforcement. Officers of the Judicial Branch and law  
179 enforcement officials authorized and required to enter into cooperative  
180 agreements with the [Bureau of Child Support Enforcement] Office of  
181 Child Support Services include, but are not limited to, officials of the  
182 Superior Court and the office of the Attorney General. Such  
183 cooperative agreements shall contain performance standards to

184 address the mandatory provisions of both state and federal laws and  
185 federal regulations concerning child support.

186 (d) The [Bureau of Child Support Enforcement] Office of Child  
187 Support Services shall have authority to determine on a periodic basis  
188 whether any individuals who owe child support obligations are  
189 receiving unemployment compensation. In IV-D cases, the [bureau]  
190 office may authorize the collection of any such obligations owed by an  
191 individual receiving unemployment compensation through an  
192 agreement with the individual or a court order pursuant to section 52-  
193 362, as amended by this act, under which a portion of the individual's  
194 unemployment compensation is withheld and forwarded to the state  
195 acting by and through the IV-D agency. As used in this section,  
196 "unemployment compensation" means any compensation payable  
197 under chapter 567, including amounts payable by the administrator of  
198 the unemployment compensation law pursuant to an agreement under  
199 any federal law providing for compensation, assistance or allowances  
200 with respect to unemployment.

201 (e) The [Bureau of Child Support Enforcement] Office of Child  
202 Support Services shall enter into purchase of service agreements with  
203 other state officials, departments and agencies which do not have  
204 judicial or law enforcement authority, including, but not limited to, the  
205 Commissioner of Administrative Services, to assist in administering  
206 the child support enforcement plan. The [Bureau of Child Support  
207 Enforcement] Office of Child Support Services shall have authority to  
208 enter into such agreements with the Labor Commissioner and to  
209 withhold unemployment compensation pursuant to subsection (d) of  
210 this section and section 31-227.

211 (f) The [Bureau of Child Support Enforcement] Office of Child  
212 Support Services shall have the sole responsibility to make referrals to  
213 the federal Parent Locator Service established pursuant to 88 Stat. 2353  
214 (1975), 42 USC 653, as amended, for the purpose of locating deserting  
215 parents.

216 (g) The [Bureau of Child Support Enforcement] Office of Child

217 Support Services shall have the sole responsibility to make  
218 recommendations to the Governor and the General Assembly for  
219 needed program legislation to ensure implementation of Title IV-D of  
220 the Social Security Act, as amended.

221 (h) (1) The [Bureau of Child Support Enforcement] Office of Child  
222 Support Services shall provide, or arrange to provide through one or  
223 more of the state officials, departments and agencies, the same services  
224 for obtaining and enforcing child support orders in cases in which  
225 children are not beneficiaries of TFA, Medicaid or foster care as in  
226 cases where children are the beneficiaries of TFA, Medicaid or foster  
227 care. Such services shall also be made available to residents of other  
228 states on the same terms as to residents of this state. Support services  
229 in cases other than TFA, Medicaid or foster care will be provided upon  
230 application to the [Bureau of Child Support Enforcement] Office of  
231 Child Support Services by the person seeking to enforce a child  
232 support obligation and the payment of an application fee, pursuant to  
233 the provisions of subsection (i) of this section.

234 (2) In addition to the application fee, the [Bureau of Child Support  
235 Enforcement] Office of Child Support Services may assess costs  
236 incurred for the establishment, enforcement or modification of a  
237 support order in cases other than TFA, Medicaid or foster care. Such  
238 assessment shall be based on a fee schedule adopted by the  
239 Department of Social Services pursuant to chapter 54. The fee schedule  
240 to be charged in such cases shall be made available to any individual  
241 upon request. The [Bureau of Child Support Enforcement] Office of  
242 Child Support Services shall adopt procedures for the notification of  
243 Superior Court judges and family support magistrates when a fee has  
244 been assessed upon an obligee for support services and a Superior  
245 Court judge or a family support magistrate shall order the obligor to  
246 pay any such assessment to the [Bureau of Child Support  
247 Enforcement] Office of Child Support Services. In cases where such  
248 order is not entered, the obligee shall pay an amount based on a  
249 sliding scale not to exceed the obligee's ability to pay. The Department  
250 of Social Services shall adopt such sliding scale pursuant to chapter 54.



251 (3) The [Bureau of Child Support Enforcement] Office of Child  
252 Support Services shall also, in the case of an individual who never  
253 received temporary assistance for needy families and for whom the  
254 state has collected at least five hundred dollars of support in a one-  
255 year period, impose an annual fee of twenty-five dollars for each case  
256 in which services are furnished. The annual fee shall be (A) retained by  
257 the state from the support collected on behalf of the individual, but not  
258 from the first five hundred dollars collected, (B) paid by the individual  
259 applying for the services, (C) recovered from the noncustodial parent,  
260 or (D) paid by the state.

261 Sec. 5. Subsection (l) of section 17b-179 of the general statutes is  
262 repealed and the following is substituted in lieu thereof (*Effective*  
263 *October 1, 2014*):

264 (l) The [Bureau of Child Support Enforcement] Office of Child  
265 Support Services shall arrange to provide a single centralized  
266 automated system for the reporting of collections on all accounts  
267 established for the collection of all IV-D support orders. Such reporting  
268 shall be made available to the Family Support Magistrate Division and  
269 to all state agencies which have a cooperative agreement with the IV-D  
270 agency. Such automated system shall include a state case registry  
271 which complies with federal law and regulations. The state case  
272 registry shall contain information on each support order established or  
273 modified in this state.

274 Sec. 6. Section 29-1g of the general statutes is repealed and the  
275 following is substituted in lieu thereof (*Effective October 1, 2014*):

276 The Commissioner of Emergency Services and Public Protection  
277 may appoint not more than six persons nominated by the  
278 Commissioner of Social Services as special policemen in the [Bureau of  
279 Child Support Enforcement] Office of Child Support Services of the  
280 Department of Social Services for the service of any warrant or capias  
281 mittimus issued by the courts on child support matters. Such  
282 appointees, having been sworn, shall serve at the pleasure of the  
283 Commissioner of Emergency Services and Public Protection and,

284 during such tenure, shall have all the powers conferred on state  
285 policemen and state marshals.

286 Sec. 7. Subdivision (1) of subsection (a) of section 46b-88 of the  
287 general statutes is repealed and the following is substituted in lieu  
288 thereof (*Effective October 1, 2014*):

289 (1) "Issuing agency" means an agency providing child support  
290 enforcement services, as defined in subsection (b) of section 46b-231, as  
291 amended by this act, and includes the [Bureau of Child Support  
292 Enforcement] Office of Child Support Services within the Department  
293 of Social Services and Support Enforcement Services within Judicial  
294 Branch Court Operations; and

295 Sec. 8. Section 46b-130 of the general statutes is repealed and the  
296 following is substituted in lieu thereof (*Effective October 1, 2014*):

297 The parents of a minor child for whom care or support of any kind  
298 has been provided under the provisions of this chapter shall be liable  
299 to reimburse the state for such care or support to the same extent, and  
300 under the same terms and conditions, as are the parents of recipients of  
301 public assistance. Upon receipt of foster care maintenance payments  
302 under Title IV-E of the Social Security Act by a minor child, the right of  
303 support, past, present and future, from a parent of such child shall, by  
304 this section, be assigned to the Commissioner of Children and  
305 Families, and the parents shall assist the commissioner in pursuing  
306 such support. On and after October 1, 2008, such assignment shall  
307 apply only to such support rights as accrue during the period of  
308 assistance, not to exceed the total amount of assistance provided to the  
309 child under Title IV-E. Referral by the commissioner shall promptly be  
310 made to the [Bureau of Child Support Enforcement] Office of Child  
311 Support Services of the Department of Social Services for pursuit of  
312 support for such minor child in accordance with the provisions of  
313 section 17b-179, as amended by this act. Any child who reimburses the  
314 state under the provisions of subsection (l) of section 46b-129 for any  
315 care or support such child received shall have a right of action to  
316 recover such payments from such child's parents.

317 Sec. 9. Subdivision (3) of subsection (b) of section 46b-172 of the  
318 general statutes is repealed and the following is substituted in lieu  
319 thereof (*Effective October 1, 2014*):

320 (3) Payments under such agreement shall be made to the petitioner,  
321 except that in IV-D support cases, as defined in subsection (b) of  
322 section 46b-231, as amended by this act, payments shall be made to the  
323 [Bureau of Child Support Enforcement] Office of Child Support  
324 Services or its designated agency and distributed as required by Title  
325 IV-D of the Social Security Act. In IV-D support cases, the IV-D agency  
326 or a support enforcement agency under cooperative agreement with  
327 the IV-D agency may, upon notice to the obligor and obligee, redirect  
328 payments for the support of any child receiving child support  
329 enforcement services either to the state of Connecticut or to the present  
330 custodial party, as their interests may appear, provided neither the  
331 obligor nor the obligee objects in writing within ten business days  
332 from the mailing date of such notice. Any such notice shall be sent by  
333 first class mail to the most recent address of such obligor and obligee,  
334 as recorded in the state case registry pursuant to section 46b-218, as  
335 amended by this act, and a copy of such notice shall be filed with the  
336 court or family support magistrate if both the obligor and obligee fail  
337 to object to the redirected payments within ten business days from the  
338 mailing date of such notice.

339 Sec. 10. Subsection (a) of section 46b-213d of the general statutes is  
340 repealed and the following is substituted in lieu thereof (*Effective*  
341 *October 1, 2014*):

342 (a) The [Bureau of Child Support Enforcement] Office of Child  
343 Support Services of the Department of Social Services or its designated  
344 collection agent, and any tribunal shall disburse promptly any  
345 amounts received pursuant to a support order, as directed by the  
346 order. The [bureau] office, agent or tribunal shall furnish to a  
347 requesting party or tribunal of another state a certified statement by  
348 the custodian of the record of the amounts and dates of all payments  
349 received.

350 Sec. 11. Subsection (b) of section 46b-213f of the general statutes is  
351 repealed and the following is substituted in lieu thereof (*Effective*  
352 *October 1, 2014*):

353 (b) Upon receipt of the documents, Support Enforcement Services,  
354 with the assistance of the [Bureau of Child Support Enforcement]  
355 Office of Child Support Services within the Department of Social  
356 Services, as appropriate, without initially seeking to register the order,  
357 shall consider and, if appropriate, use any administrative procedure  
358 authorized by the law of this state to enforce a support order or an  
359 income withholding order, or both. If the obligor does not contest  
360 administrative enforcement, the order need not be registered. If the  
361 obligor contests the validity or administrative enforcement of the  
362 order, the support enforcement agency shall file the order with  
363 Support Enforcement Services of the Superior Court to be recorded in  
364 the registry of support orders of the Family Support Magistrate  
365 Division.

366 Sec. 12. Subsection (c) of section 46b-213w of the general statutes is  
367 repealed and the following is substituted in lieu thereof (*Effective*  
368 *October 1, 2014*):

369 (c) The Department of Social Services shall make available to all  
370 employers in this state a standard notice and claim form, written in  
371 clear and simple language, which shall include:

372 (1) Notice that money will be withheld from the employee's wages  
373 for child support and health insurance;

374 (2) Notice of the amount of disposable earnings that are exempt  
375 from the income withholding order;

376 (3) Notice that the amount of the income withholding order may not  
377 exceed the maximum permitted by federal law under Section 1673 of  
378 Title 15 of the United States Code, together with a statement of the  
379 obligor's right to claim any other applicable state or federal  
380 exemptions;

381 (4) Notice of the right to object to the validity or enforcement of such  
382 income withholding order in a court in this state and of the right to  
383 seek modification of the underlying support order in the court of  
384 continuing exclusive jurisdiction;

385 (5) Notice of the right to seek the assistance of the [Bureau of Child  
386 Support Enforcement] Office of Child Support Services of the  
387 Department of Social Services and the toll-free telephone number at  
388 which the [bureau] office can be contacted;

389 (6) A claim form which shall include (A) a list of the most common  
390 defenses and exemptions to such income withholding order in a  
391 manner which allows the obligor to check any of the defenses and  
392 exemptions which apply; (B) a space where the obligor may briefly  
393 explain the obligor's claim or defense; (C) a space where the obligor  
394 may initiate a request for services to modify the support order, and the  
395 address of the [Bureau of Child Support Enforcement] Office of Child  
396 Support Services of the Department of Social Services to which such  
397 request may be sent; (D) a space for the obligor to provide the obligor's  
398 address and the name of the town in which the obligor principally  
399 conducts the obligor's work for the employer; (E) a space for the  
400 obligor to sign the obligor's name; (F) the address of Support  
401 Enforcement Services to which the claim form is to be sent in order to  
402 contest the validity or enforcement of the income withholding order;  
403 and (G) space for the employer to state the date upon which the form  
404 was actually delivered to the obligor.

405 Sec. 13. Subsection (m) of section 46b-213w of the general statutes is  
406 repealed and the following is substituted in lieu thereof (*Effective*  
407 *October 1, 2014*):

408 (m) If the claim form requests services to modify the support order,  
409 the [Bureau of Child Support Enforcement] Office of Child Support  
410 Services shall assist the obligor to file a motion for modification with  
411 the appropriate tribunal of the state of continuing exclusive  
412 jurisdiction in accordance with the law of that jurisdiction. The receipt  
413 of the request for modification shall constitute a request for Title IV-D

414 services, but the [bureau] office may require the making of a formal  
415 application. Such assistance shall include, but is not limited to,  
416 providing the obligor with information about how such a motion is  
417 filed, contacting the state of continuing exclusive jurisdiction on behalf  
418 of the obligor to obtain appropriate forms, and transmitting such forms  
419 and applicable information to the appropriate tribunal in such state.

420 Sec. 14. Subdivision (3) of subsection (a) of section 46b-218 of the  
421 general statutes is repealed and the following is substituted in lieu  
422 thereof (*Effective October 1, 2014*):

423 (3) "State case registry" means the database included in the  
424 automated system established and maintained by the [Bureau of Child  
425 Support Enforcement] Office of Child Support Services under  
426 subsection (l) of section 17b-179, as amended by this act, which  
427 database shall contain information on each support order established  
428 or modified in the state.

429 Sec. 15. Subdivision (4) of subsection (b) of section 46b-231 of the  
430 2014 supplement to the general statutes is repealed and the following  
431 is substituted in lieu thereof (*Effective October 1, 2014*):

432 (4) ["Bureau of Child Support Enforcement"] "Office of Child  
433 Support Services" means a division within the Department of Social  
434 Services established pursuant to section 17b-179, as amended by this  
435 act;

436 Sec. 16. Subdivision (12) of subsection (b) of section 46b-231 of the  
437 2014 supplement to the general statutes is repealed and the following  
438 is substituted in lieu thereof (*Effective October 1, 2014*):

439 (12) "IV-D agency" means the [Bureau of Child Support  
440 Enforcement] Office of Child Support Services within the Department  
441 of Social Services, established pursuant to section 17b-179, as amended  
442 by this act, and authorized to administer the child support program  
443 mandated by Title IV-D of the Social Security Act;

444 Sec. 17. Subdivision (4) of subsection (s) of section 46b-231 of the

445 2014 supplement to the general statutes is repealed and the following  
446 is substituted in lieu thereof (*Effective October 1, 2014*):

447 (4) Review child support orders (A) in non-TFA IV-D support cases  
448 (i) at the request of either parent or custodial party subject to a support  
449 order, or (ii) upon receipt of information indicating a substantial  
450 change in circumstances of any party to the support order, (B) in TFA  
451 cases, at the request of the [Bureau of Child Support Enforcement]  
452 Office of Child Support Services, or (C) as necessary to comply with  
453 federal requirements for the child support enforcement program  
454 mandated by Title IV-D of the Social Security Act, and initiate an  
455 action before a family support magistrate to modify such support  
456 order if it is determined upon such review that the order substantially  
457 deviates from the child support guidelines established pursuant to  
458 section 46b-215a. A requesting party under subparagraph (A)(i) or (B)  
459 of this subdivision shall have a right to such review every three years  
460 without proving a substantial change in circumstances, but more  
461 frequent reviews shall be made only if such requesting party  
462 demonstrates a substantial change in circumstances. There shall be a  
463 rebuttable presumption that any deviation of less than fifteen per cent  
464 from the child support guidelines is not substantial and any deviation  
465 of fifteen per cent or more from the guidelines is substantial.  
466 Modification may be made of such support order without regard to  
467 whether the order was issued before, on or after May 9, 1991. In  
468 determining whether to modify a child support order based on a  
469 substantial deviation from such child support guidelines,  
470 consideration shall be given to the division of real and personal  
471 property between the parties set forth in any final decree entered  
472 pursuant to chapter 815j and the benefits accruing to the child as the  
473 result of such division. No order for periodic payment of support may  
474 be subject to retroactive modification, except that the family support  
475 magistrate may order modification with respect to any period during  
476 which there is a pending motion for modification of a support order  
477 from the date of service of notice of such pending motion to the  
478 opposing party pursuant to section 52-50.

479 Sec. 18. Subdivision (1) of subsection (a) of section 52-362 of the  
480 general statutes is repealed and the following is substituted in lieu  
481 thereof (*Effective October 1, 2014*):

482 (1) "Dependent" means a spouse, former spouse or child entitled to  
483 payments under a support order, provided Support Enforcement  
484 Services of the Superior Court or the state acting under an assignment  
485 of a dependent's support rights or under an application for child  
486 support enforcement services shall, through an officer of Support  
487 Enforcement Services or the [Bureau of Child Support Enforcement]  
488 Office of Child Support Services within the Department of Social  
489 Services or an investigator of the Department of Administrative  
490 Services or the Attorney General, take any action which the dependent  
491 could take to enforce a support order;

492 Sec. 19. Subsection (e) of section 52-362 of the general statutes is  
493 repealed and the following is substituted in lieu thereof (*Effective*  
494 *October 1, 2014*):

495 (e) A withholding order shall issue in the amount necessary to  
496 enforce a support order against only such nonexempt income of the  
497 obligor as exceeds the greater of (1) eighty-five per cent of the first one  
498 hundred forty-five dollars per week of disposable income, or (2) the  
499 amount exempt under Section 1673 of Title 15 of the United States  
500 Code, or against any lesser amount which the court or family support  
501 magistrate deems equitable. Subject to subsection (d) of section 46b-88,  
502 the withholding order shall secure payment of past and future  
503 amounts due under the support order and an additional amount  
504 computed in accordance with the child support guidelines established  
505 in accordance with section 46b-215a, to be applied toward liquidation  
506 of any arrearage accrued under such order, unless contested by the  
507 obligor after a notice has been served pursuant to subsection (c) of this  
508 section, in which case the court or family support magistrate may  
509 determine the amount to be applied toward the liquidation of the  
510 arrearage found to have accrued under prior order of the court or  
511 family support magistrate. In no event shall such additional amount be



512 applied if there is an existing arrearage order from the court or family  
513 support magistrate in a IV-D support case, as defined in subdivision  
514 (13) of subsection (b) of section 46b-231. Any investigator or other  
515 authorized employee of the [Bureau of Child Support Enforcement]  
516 Office of Child Support Services within the Department of Social  
517 Services, or any officer of Support Enforcement Services of the  
518 Superior Court, may issue a withholding order entered by the Superior  
519 Court or a family support magistrate pursuant to subsection (b) of this  
520 section, and shall issue a withholding order pursuant to this subsection  
521 when the obligor becomes subject to withholding under subsection (c)  
522 of this section. On service of the order of withholding on an existing or  
523 any future employer or other payer of income, and until the support  
524 order is fully satisfied or modified, the order of withholding is a  
525 continuing lien and levy on the obligor's income as it becomes due.

526 Sec. 20. Subsection (h) of section 52-362 of the general statutes is  
527 repealed and the following is substituted in lieu thereof (*Effective*  
528 *October 1, 2014*):

529 (h) Service of any process under this section, including any notice,  
530 may be made in accordance with section 52-57, or by certified mail,  
531 return receipt requested. If service is made on behalf of the state, it  
532 may be made by an authorized employee of Support Enforcement  
533 Services, by an investigator or other officer of the [Bureau of Child  
534 Support Enforcement] Office of Child Support Services within the  
535 Department of Social Services, by an investigator of the Department of  
536 Administrative Services or by the Attorney General. Service of income  
537 withholding orders by Support Enforcement Services or by an  
538 investigator or other officer of said [bureau] office upon an employer  
539 under this section may be made in accordance with section 52-57, by  
540 certified mail, return receipt requested, by first class mail or  
541 electronically, provided the employer agrees to accept service made  
542 electronically.

543 Sec. 21. Subsection (p) of section 52-362 of the general statutes is  
544 repealed and the following is substituted in lieu thereof (*Effective*

545 October 1, 2014):

546 (p) All withholding orders issued under this section shall be payable  
547 to the state disbursement unit established and maintained by the  
548 Commissioner of Social Services in accordance with subsection (j) of  
549 section 17b-179, as amended by this act. The state disbursement unit  
550 shall insure distribution of all money collected under this section to the  
551 dependent, the state and the support enforcement agencies of other  
552 states, as their interests may appear, within two business days. Each  
553 dependent who is not receiving child support enforcement services, as  
554 defined in subsection (b) of section 46b-231, as amended by this act,  
555 shall be notified upon the issuance of a withholding order pursuant to  
556 this section, that such services are offered free of charge by the State of  
557 Connecticut upon application to the [Bureau of Child Support  
558 Enforcement] Office of Child Support Services within the Department  
559 of Social Services.

560 Sec. 22. Subdivision (1) of subsection (a) of section 52-362f of the  
561 general statutes is repealed and the following is substituted in lieu  
562 thereof (*Effective October 1, 2014*):

563 (1) "Agency" means the [Bureau of Child Support Enforcement]  
564 Office of Child Support Services within the Department of Social  
565 Services of this state and, when the context requires, means either the  
566 court or agency of any other jurisdiction with functions similar to those  
567 defined in this section, including the issuance and enforcement of  
568 support orders.

569 Sec. 23. Subsection (g) of section 52-362f of the general statutes is  
570 repealed and the following is substituted in lieu thereof (*Effective*  
571 *October 1, 2014*):

572 (g) An income withholding order under this section shall direct  
573 payment to the [Bureau of Child Support Enforcement] Office of Child  
574 Support Services or its designated collection agent. The [bureau] office  
575 or its designated agent shall promptly distribute payments received  
576 pursuant to an income withholding order or garnishment based on a

577 support order of another jurisdiction entered under this section to the  
 578 agency or person designated pursuant to subdivision (5) of subsection  
 579 (a) of section 46b-213h. A support order entered pursuant to subsection  
 580 (d) of this section does not nullify and is not nullified by a support  
 581 order made by a court of this state pursuant to any other section of the  
 582 general statutes or a support order made by a court of any other state.  
 583 Amounts collected by any withholding of income shall be credited  
 584 against the amounts accruing or accrued for any period under any  
 585 support orders issued either by this state or by another jurisdiction.

586 Sec. 24. Section 52-362i of the general statutes is repealed and the  
 587 following is substituted in lieu thereof (*Effective October 1, 2014*):

588 If the court or family support magistrate finds that (1) an obligor is  
 589 delinquent on payment of child support, and (2) future support  
 590 payments are in jeopardy, or (3) the obligor has exhibited or expressed  
 591 an intention not to pay any such support, the court or family support  
 592 magistrate may order the obligor to provide a cash deposit not to  
 593 exceed the amount of four times the current monthly support and  
 594 arrearage obligation, to be held in escrow by the [Bureau of Child  
 595 Support Enforcement] Office of Child Support Services or Support  
 596 Enforcement Services. Any funds from such cash deposit may be  
 597 disbursed by the [Bureau of Child Support Enforcement] Office of  
 598 Child Support Services or Support Enforcement Services to the  
 599 custodial parent upon a determination by said [bureau] office or  
 600 Support Enforcement Services that the obligor has failed to pay the full  
 601 amount of the monthly support obligation. Payment shall be in an  
 602 amount that, when combined with the obligor's payment, would not  
 603 exceed the monthly support obligation. Payment from such cash  
 604 deposit shall not preclude a finding of delinquency during the period  
 605 of time in which the obligor failed to pay current support.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2014</i>	1-24
Sec. 2	<i>October 1, 2014</i>	4a-12(c)

Sec. 3	<i>October 1, 2014</i>	17b-93(d)
Sec. 4	<i>October 1, 2014</i>	17b-179(a) to (h)
Sec. 5	<i>October 1, 2014</i>	17b-179(l)
Sec. 6	<i>October 1, 2014</i>	29-1g
Sec. 7	<i>October 1, 2014</i>	46b-88(a)(1)
Sec. 8	<i>October 1, 2014</i>	46b-130
Sec. 9	<i>October 1, 2014</i>	46b-172(b)(3)
Sec. 10	<i>October 1, 2014</i>	46b-213d(a)
Sec. 11	<i>October 1, 2014</i>	46b-213f(b)
Sec. 12	<i>October 1, 2014</i>	46b-213w(c)
Sec. 13	<i>October 1, 2014</i>	46b-213w(m)
Sec. 14	<i>October 1, 2014</i>	46b-218(a)(3)
Sec. 15	<i>October 1, 2014</i>	46b-231(b)(4)
Sec. 16	<i>October 1, 2014</i>	46b-231(b)(12)
Sec. 17	<i>October 1, 2014</i>	46b-231(s)(4)
Sec. 18	<i>October 1, 2014</i>	52-362(a)(1)
Sec. 19	<i>October 1, 2014</i>	52-362(e)
Sec. 20	<i>October 1, 2014</i>	52-362(h)
Sec. 21	<i>October 1, 2014</i>	52-362(p)
Sec. 22	<i>October 1, 2014</i>	52-362f(a)(1)
Sec. 23	<i>October 1, 2014</i>	52-362f(g)
Sec. 24	<i>October 1, 2014</i>	52-362i

**HS**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill renames the Bureau of Child Support Enforcement within the Department of Social Services (DSS), which has no fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****SB 252*****AN ACT CONCERNING THE OFFICE OF CHILD SUPPORT SERVICES.*****SUMMARY:**

This bill renames the Department of Social Services' (DSS) Bureau of Child Support Enforcement as the Office of Child Support Services. It makes conforming changes throughout the statutes.

By law, the bureau develops and implements all child support services for the state, including implementing Title IV-D of the Social Security Act, administering the withholding of earnings from parents, and coordinating the state child support plan.

EFFECTIVE DATE: October 1, 2014

**COMMITTEE ACTION**

Human Services Committee

Joint Favorable

Yea 18      Nay 0      (03/11/2014)